

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FREDERICK FISHER,

Plaintiff,

No. 07-CV-10920-DT

vs.

Hon. Gerald E. Rosen

PATRICIA CARUSO, et al.,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 24, 2008

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the September 18, 2007 Report and
Recommendation of United States Magistrate Judge Donald A. Scheer recommending
that the Court dismiss Plaintiff's Amended Complaint due to his failure to exhaust
administrative remedies, and no timely objections to the R&R having been filed, and the
Court being otherwise fully advised in the premises,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and
Recommendation of September 18, 2007 [Dkt. # 32] is hereby ADOPTED by the Court.
Accordingly, for the reasons stated in the R&R,

IT IS FURTHER ORDERED that Plaintiff's Complaint is dismissed for failure to exhaust administrative remedies, without prejudice.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: January 24, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 24, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager